

Chief Clerk of the House

FILED MAR 01 2007

By: _____

Catt

H.B. No. 2281

A BILL TO BE ENTITLED

AN ACT

relating to administrative approval of replats involving minor plat
revisions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 212.0065(a), Local Government Code, is
amended to read as follows:

(a) The governing body of a municipality may delegate to one
or more officers or employees of the municipality or of a utility
owned or operated by the municipality the ability to approve:

(1) amending plats described by Section 212.016;

(2) minor plats or replats involving four or fewer
lots fronting on an existing street and not requiring the creation
of any new street or the extension of municipal facilities; or

(3) a replat under Section 212.0145 that does not
require the creation of any new street or the extension of municipal
facilities.

SECTION 2. This Act takes effect immediately if it receives
a vote of two-thirds of all the members elected to each house, as
provided by Section 39, Article III, Texas Constitution. If this
Act does not receive the vote necessary for immediate effect, this
Act takes effect September 1, 2007.

HOUSE COMMITTEE REPORT

1st Printing

7 MAR 30 PM 11: 06
SE OF REPRESENTATI

By: Corte

H.B. No. 2281

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a vote of two-thirds of all the members elected to each house, as
provided by Section 39, Article III, Texas Constitution. If this
Act does not receive the vote necessary for immediate effect, this
Act takes effect September 1, 2007.

COMMITTEE REPORT

The Honorable Tom Craddick
Speaker of the House of Representatives

03-28-2007
(date)

Sir:
We, your **COMMITTEE ON LAND AND RESOURCE MANAGEMENT**
to whom was referred HB 2281 have had the same under consideration and beg to report
back with the recommendation that it

- ☒ do pass, without amendment.
☐ do pass, with amendment(s).
☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
- ☒ yes ☐ no A fiscal note was requested.
☐ yes ☒ no A criminal justice policy impact statement was requested.
☐ yes ☒ no An equalized educational funding impact statement was requested.
☐ yes ☒ no An actuarial analysis was requested.
☐ yes ☒ no A water development policy impact statement was requested.
☐ yes ☒ no A tax equity note was requested.
- ☒ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____

Joint Sponsors: _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Mowery, Chair	✓			
Orr, Vice-chair	✓			
Zerwas, CBO	✓			
Callegari	✓			
Cook, R.				✓
Davis, Y.				✓
Geren				✓
Pickett	✓			
Ritter				✓

Total 5 aye
 0 nay
 0 present, not voting
 4 absent

Anna Mowery
CHAIR

BILL ANALYSIS

H.B. 2281
By: Corte, Frank
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, state law allows for the governing body of a municipality to authorize an administrative official to approve certain minor plats. There are strict requirements and definitions of what constitutes a minor plat (that it involves four or fewer lots fronting an existing street; does not require the creation of any new street; and does not require the extension of municipal facilities). However, simple replatting requests are unnecessarily involved and complex, requiring notice in the newspaper and a public hearing before a planning commission even if the replat involved meets the strict definitions of a minor plat as listed above.

The purpose of H.B. 2281 is to amend Section 212.0065(a), Local Government Code, to allow administrative approval of minor replats to mirror the approval process for minor plats.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. *Amends Section 212.0065(a), Local Government Code, as follows:*

Authorizes the governing body of a municipality to delegate to one or more officers or employees of the municipality or of a utility owned or operated by the municipality the ability to approve, among other things, a minor replat, under certain requirements existing regarding minor plats.

SECTION 2. Effective Date.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

SUMMARY OF COMMITTEE ACTION

HB 2281

March 28, 2007 8:00 AM or upon final adjourn./recess

Considered in public hearing

Testimony taken in committee (See attached witness list.)

Recommended to be sent to Local & Consent

Reported favorably without amendment(s)

2
+

WITNESS LIST

HB 2281
HOUSE COMMITTEE REPORT
Land & Resource Management Committee

March 28, 2007 - 8:00 AM or upon final adjourn./recess

For: Sanchez, Roderick (City of San Antonio)

Registering, but not testifying:

For: Card, Elizabeth (City of San Antonio)

Gonzales, Luz M. (City of San Antonio)

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 25, 2007

TO: Honorable Anna Mowery, Chair, House Committee on Land & Resource Management

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2281 by Corte, Frank (Relating to administrative approval of replats involving minor plat revisions.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, WK, DB

HOUSE ENGROSSMENT

By: Corte

H.B. No. 2281

A BILL TO BE ENTITLED

AN ACT

relating to administrative approval of replats involving minor plat revisions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 212.0065(a), Local Government Code, is amended to read as follows:

(a) The governing body of a municipality may delegate to one or more officers or employees of the municipality or of a utility owned or operated by the municipality the ability to approve:

(1) amending plats described by Section 212.016;

(2) minor plats or replats involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities; or

(3) a replat under Section 212.0145 that does not require the creation of any new street or the extension of municipal facilities.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 25, 2007

TO: Honorable Anna Mowery, Chair, House Committee on Land & Resource Management

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IN RE: HB2281 by Corte, Frank (Relating to administrative approval of replats involving minor plat revisions.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, WK, DB

1-1 By: Corte (Senate Sponsor - Uresti) H.B. No. 2281
1-2 (In the Senate - Received from the House April 16, 2007;
1-3 April 17, 2007, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 3, 2007, reported favorably by
1-5 the following vote: Yeas 4, Nays 0; May 3, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to administrative approval of replats involving minor plat
1-9 revisions.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 212.0065(a), Local Government Code, is
1-12 amended to read as follows:

1-13 (a) The governing body of a municipality may delegate to one
1-14 or more officers or employees of the municipality or of a utility
1-15 owned or operated by the municipality the ability to approve:

1-16 (1) amending plats described by Section 212.016;

1-17 (2) minor plats or replats involving four or fewer
1-18 lots fronting on an existing street and not requiring the creation
1-19 of any new street or the extension of municipal facilities; or

1-20 (3) a replat under Section 212.0145 that does not
1-21 require the creation of any new street or the extension of municipal
1-22 facilities.

1-23 SECTION 2. This Act takes effect immediately if it receives
1-24 a vote of two-thirds of all the members elected to each house, as
1-25 provided by Section 39, Article III, Texas Constitution. If this
1-26 Act does not receive the vote necessary for immediate effect, this
1-27 Act takes effect September 1, 2007.

1-28 * * * * *

FAVORABLE
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 2281
By Corey Cresti
(Author/Senate Sponsor)
5-3-07
(date)

Sir:

We, your Committee on INTERGOVERNMENTAL RELATIONS, to which was referred the attached measure,
have on 5-2-07, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

☒ do pass and be printed

☐ do pass and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator West, Chairman	<input checked="" type="checkbox"/>			
Senator Nichols, Vice-Chairman	<input checked="" type="checkbox"/>			
Senator Gallegos			<input checked="" type="checkbox"/>	
Senator Patrick	<input checked="" type="checkbox"/>			
Senator Wentworth	<input checked="" type="checkbox"/>			
TOTAL VOTES	4		1	

COMMITTEE ACTION

☒ S260 Considered in public hearing

☐ S270 Testimony taken

289 White
COMMITTEE CLERK

[Signature]
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill
Retain one copy of this form for Committee files

WITNESS LIST

HB 2281

Senate Committee Report

Intergovernmental Relations

May 2, 2007 - 9:30 AM

Registering, but not testifying:

For:

Carol, Elizabeth Special Projects Coordinator (City of San Antonio), San Antonio, TX

Chick, Craig (Texas Association of Realtors), Austin, TX

Gonzales, Luz M. Planner II (City of San Antonio), San Antonio, TX

Sanchez, Roderick Director Development Services (City of San Antonio), San Antonio, TX

BILL ANALYSIS

Senate Research Center
80R8942 DRH-F

H.B. 2281
By: Corte (Uresti)
Intergovernmental Relations
5/1/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

State law currently allows the governing body of a municipality to authorize an administrative official to approve certain minor plats, which are strictly defined. However, replatting requests are unnecessarily involved and complex, require notice in the newspaper, and require a public hearing before a planning commission.

H.B. 2281 amends Section 212.0065(a), Local Government Code, to allow the administrative approval process of minor replats to mirror the approval process for minor plats.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 212.0065(a), Local Government Code, to authorize the governing body of a municipality to delegate to certain persons the ability to approve certain minor replats, in addition to the authority regarding minor plats.

SECTION 2. Effective date: upon passage or September 1, 2007.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 17, 2007

TO: Honorable Royce West, Chair, Senate Committee on Intergovernmental Relations

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2281 by Corte, Frank (Relating to administrative approval of replats involving minor plat revisions.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, WK, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 25, 2007

TO: Honorable Anna Mowery, Chair, House Committee on Land & Resource Management

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2281 by Corte, Frank (Relating to administrative approval of replats involving minor plat revisions.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

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Source Agencies:

LBB Staff: JOB, WK, DB

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR KIM BRIMER, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that HB 2281, by Cortel Uresti,
(Bill No.) (Author/Sponsor)

was heard by the Committee on Senate & Cor on 5-2-07,
2007,

and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

By White
(Clerk of the reporting committee)

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.

ENROLLMENT

H.B. No. 2281

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H.B. No. 2281

President of the Senate

Speaker of the House

I certify that H.B. No. 2281 was passed by the House on April 13, 2007, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2281 was passed by the Senate on May 15, 2007, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

President of the Senate

Speaker of the House

I certify that H.B. No. 2281⁽¹⁾ was passed by the House

on April 13⁽²⁾, 2007, by the following vote:

Yeas 143⁽³⁾, Nays 0⁽⁴⁾, 2 present, not voting

Chief Clerk of the House

I certify that H.B. No. 2281 was passed by the Senate

on May 15⁽⁵⁾, 2007, by the following vote:

Yeas 31⁽⁶⁾, Nays 0⁽⁷⁾

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: CT24

A BILL TO BE ENTITLED
AN ACT

relating to administrative approval of replats involving minor plat revisions.

MAR 01 2007

Filed with the Chief Clerk

MAR 08 2007

Read first time and referred to Committee on

Land and Resource Management

MAR 28 2007

Reported favorably (~~as amended~~)
(~~as substituted~~)

APR 02 2007

Sent to Committee on (~~Calendar~~)
(Local & Consent Calendars)

APR 13 2007

Read second time (~~comm. subst.~~) (~~amended~~); passed to third reading (~~failed~~) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of _____ yeas, _____ nays, _____ present, not voting

APR 13 2007

Read third time (~~amended~~); finally passed (~~failed to pass~~) by a (~~non-record vote~~)
(record vote of **143** yeas, **0** nays, **2** present, not voting)

APR 13 2007

Engrossed

APR 16 2007

Sent to Senate

Robert Haney
CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

APR 16 2007

Received from the House

APR 17 2007

Read and referred to Committee on

INTERGOVERNMENTAL RELATIONS

MAY 03 2007

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

MAY 15 2007

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(_____ yeas, _____ nays)

MAY 15 2007

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(_____ yeas, _____ nays)

MAY 15 2007

Senate and Constitutional 3 Day Rules suspended by a vote of **31** yeas, **0** nays

MAY 15 2007

Read third time, _____, and passed by a (~~viva voce vote~~)
(**31** yeas, **0** nays)

Returned to the House

Patsy Spaw
SECRETARY OF THE SENATE

OTHER SENATE ACTION:

MAY 15 2007

Returned from the Senate (~~amended~~)
(with amendments)

House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

House conferees appointed: _____, Chair; _____,
_____, _____,

Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____,

Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)

07 MAR 30 PM 11:06
HOUSE OF REPRESENTATIVES